

# PATENT COOPERATION TREATY

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From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/GB2004/003593

International filing date (day/month/year)  
20.08.2004

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC  
H04B10/12, H04B10/13

Applicant  
ZINWAVE LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/003593

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	3,4,6
	No: Claims	1,2,5,7,8
Inventive step (IS)	Yes: Claims	
	No: Claims	1-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item V.**

- 1 Reference is made to the following documents:

D1 : US 5 359 447 A (HAHN ET AL) 25 October 1994 (1994-10-25)

D2 : US 6 064 786 A (CUNNINGHAM ET AL) 16 May 2000 (2000-05-16)

- 2 Document D1 discloses (the references in parentheses applying to this document):

An optical communication system comprising:

one or more optical radiation transmitters (abstract);

a means of coupling optical radiation from the, or each, optical radiation transmitter into a multimode fibre using a launch which restricts the number of modes excited in the fibre (col.2, lines 50 to 52); and

a photodetector (Fig.1);

characterised by the feature that the, or each, optical radiation transmitter is a multiple transverse mode laser transmitter (Abstract) and that the transmission signals used are radio frequency signals (col.6, lines 12 to 15).

2.1 INDEPENDENT CLAIM 1

As can be seen from the above, document D1 discloses in combination all the features defined in independent claim 1. Hence the subject-matter of this claim is not new (Article 33(2) PCT).

- 3 Document D2 discloses (the references in parentheses applying to this document):

An optical communication system where the multiple mode output of the source is modified to provide high quality radio over fibre transmission but with relaxed alignment tolerances (col.3, lines 17 to 22).

3.1 INDEPENDENT CLAIM 5

As can be seen from the above, document D2 discloses in combination all the features defined in independent claim 5. Hence the subject-matter of this claim is not new (Article 33(2) PCT).

**WRITTEN OPINION OF THE  
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AUTHORITY (SEPARATE SHEET)**

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**3.2 INDEPENDENT CLAIM 8**

As can be seen from the above, document D2 discloses in combination all the features defined in independent claim 8. Hence the subject-matter of this claim is not new (Article 33(2) PCT).

**4 DEPENDENT CLAIMS 2-4, 6, 7**

Dependent claims 2-4, 6, 7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).